
SENATE BILL No. 539

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-136.2; IC 12-15-2-26; P.L.23-2006, SECTION 1.

Synopsis: Medicaid income spend down pay-in option. Requires (instead of allows) the office of Medicaid policy and planning to apply to the federal government for an amendment to the state's Medicaid plan to allow a Medicaid recipient to elect to participate in the pay-in option in the state's Medicaid spend down program. Repeals the current noncode act on the same subject.

Effective: Upon passage.

Simpson

January 15, 2009, read first time and referred to Committee on Health and Provider Services.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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SENATE BILL No. 539

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 12-7-2-136.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 136.2. "Pay-in option", for**
4 **purposes of IC 12-15-2-26, has the meaning set forth in**
5 **IC 12-15-2-26(a).**

6 SECTION 2. IC 12-15-2-26 IS ADDED TO THE INDIANA CODE
7 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
8 UPON PASSAGE]: **Sec. 26. (a) As used in this section, "pay-in**
9 **option" refers to the method allowed under 42 U.S.C. 1396b under**
10 **which a Medicaid recipient may satisfy a state's income spend**
11 **down requirements by paying to the state the spend down amount**
12 **each month.**

13 **(b) Before June 1, 2009, the office shall apply to the United**
14 **States Department of Health and Human Services to amend the**
15 **state's Medicaid plan to allow a Medicaid recipient to elect to**
16 **participate in the pay-in option in the state's Medicaid spend down**
17 **program allowed under 42 U.S.C. 1396b.**

2009

IN 539—LS 6035/DI 104+



1 (c) The office may not implement the amendment described in
2 subsection (b) until the office files an affidavit with the governor
3 attesting that the amendment applied for under this section is in
4 effect. The office shall file the affidavit under this subsection not
5 later than five (5) days after the office is notified by the United
6 States Department of Health and Human Services that the
7 amendment is approved.

8 (d) If the office receives approval for the amendment under this
9 section and the governor receives the affidavit filed under
10 subsection (c), the office shall implement the amendment.

11 (e) The office may adopt rules under IC 4-22-2 necessary to
12 implement this section.

13 SECTION 3. P.L.23-2006, SECTION 1 IS REPEALED
14 [EFFECTIVE UPON PASSAGE].

15 SECTION 4. An emergency is declared for this act.

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